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United Nations reform: measures and proposals

Programme budget for the biennium 2014-2015

Strengthening and enhancing the effective functioning of the human rights treaty body system

Programme budget implications of draft resolution A/68/L.37

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the statement of programme budget implications, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly, relating to draft resolution A/68/L.37 (A/68/779). During its consideration of the statement, the Advisory Committee met with representatives of the Secretary-General, who provided additional information and clarification, concluding with written responses received on 18 March 2014.

Draft resolution A/68/L.37

2. Under the terms of operative paragraphs 15 and 16 of draft resolution A/68/L.37, the General Assembly would decide to establish a limit of 10,700 words for each document produced by the human rights treaty bodies, as well as limits for all State party documentation submitted to the treaty body system, including State party reports, of 31,800 words for initial reports, 21,200 words for subsequent periodic reports and 42,400 words for common core documents.

3. In operative paragraph 17 of the draft resolution, the General Assembly would request the Secretary-General to support States parties in building the capacity to implement their treaty obligations. In operative paragraphs 22 and 23, the Assembly would decide, in principle, to webcast, as soon as feasible, the public meetings of the treaty bodies, and would request the Office of the United Nations High Commissioner for Human Rights (OHCHR), with the assistance of United Nations

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country teams, to provide, at the request of a State party, the opportunity for members of its official delegation not present at the meeting to participate in the consideration of that State party's report by means of videoconference.

4. In operative paragraphs 24 and 25 of the draft resolution, the General Assembly would decide to issue summary records in one of the working languages of the United Nations and not to translate the pending backlog of summary records, taking into account that those measures would not constitute a precedent. The Assembly would further decide that a summary record of a meeting of a State party with a treaty body, at the request of any State party, should be translated into the official language of the United Nations used by that State party.

5. Operative paragraph 26 of the draft resolution sets out the method by which the allocation of meeting time would be identified. Under operative paragraph 27, the General Assembly would decide that the amount of meeting time allocated would be reviewed biennially on the basis of actual reporting during the previous four years and would be amended on that basis at the request of the Secretary-General in line with established budgetary procedures, and would also decide that the number of weeks allocated to a committee on a permanent basis prior to the adoption of the draft resolution would not be reduced. By operative paragraph 28, the Assembly would request the Secretary-General accordingly to take into account the meeting time needed in relation to the increased capacity of States parties to submit reports under the respective human rights instruments and the situation in terms of ratifications and the number of individual communications considered, based on operative paragraphs 26 and 27, in his future biennial programme budget for the human rights treaty body system, including the specific requirements for field visits by treaty bodies mandated to conduct such visits.

6. In operative paragraph 29, the General Assembly would request the Secretary-General to ensure the progressive implementation of relevant accessibility standards with regard to the treaty body system, as appropriate, particularly in connection with the strategic heritage plan being developed for the United Nations Office at Geneva, and to provide reasonable accommodation for treaty body experts with disabilities to ensure their full and effective participation.

7. In operative paragraph 30 of the draft resolution, the General Assembly would decide to allocate a maximum of three official working languages for the work of the human rights treaty bodies, with the inclusion, on an exceptional basis, of a fourth official language, when necessary, to facilitate communication among the members, as determined by the committee concerned, taking into account that those measures would not constitute a precedent, given the special nature of the treaty bodies, and without prejudice to the right of each State party to interact with the treaty bodies in any of the six official languages of the United Nations.

Overall programme budget implications

8. According to paragraph 40 of the Secretary-General's statement, should the General Assembly adopt draft resolution A/68/L.37, it is estimated that an additional appropriation of $194,300 would be required under the programme budget for the biennium 2014-2015, comprising an increase of $9,855,200 under section 24, Human rights; an increase of $327,400 under section 28, Public information; and an increase of $317,100 under section 29F, Administration, Geneva, partially offset by a net decrease under section 2, General Assembly and Economic and Social Council

affairs and conference management ($10,305,400); as well as an additional amount of $751,200 under section 36, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2014-2015. Total estimated resource requirements would amount to $1,293,700 for the biennium 2016-2017.

9. In paragraphs 16 to 18 of his statement, the Secretary-General also indicates that implementation of the measures in the draft resolution would entail the addition of meeting time for the human rights treaty bodies, with a total requirement of 12 additional weeks, and an additional margin of 15 per cent of the total number of weeks required to review the annual average number of reports received in the period 2015-2017 on the basis of anticipated requirements, as well as related travel expenses of the members of the treaty bodies and additional staffing in respect of the additional meetings.

10. In paragraph 19 of his statement, the Secretary-General states that additional resources would also be required for the additional meetings to provide conference services, for the editing, translation and processing of the documentation submitted by States parties to the international conventions and produced by the treaty bodies, as well as the specific reports requested, and for the provision of interpretation, drafting of summary records and other meeting services.

11. Upon enquiry as to the budgetary assumptions applied in respect of the translation of summary records in operative paragraph 25 of the draft resolution, the Advisory Committee was informed by the Secretariat that it was considered unlikely that more than one State party would request translation of the summary record of another country's meeting. The assumption was therefore made that this measure would lead to requests for translation of the equivalent of no more than half of all summary records. With respect to the allocation of working languages, as set out in operative paragraph 30 of the draft resolution, the Committee was informed by the Secretariat that internal documentation would require translation into two other working languages, and documents received would be translated into all three working languages. The Secretariat assumed that no more than half of the documentation would require translation into all three languages, and, accordingly, a calculation of 2.5 languages of translation would be applied. The inclusion of a fourth language was assumed to be unlikely to occur more than half of the time the committees meet, which would increase the calculation by another half of one language. The Committee was also informed that, as these assumptions are untested, the Secretariat will keep track of all such requests to determine how the actual workload corresponds to the assumptions, and will include that information in the biennial review. **The Advisory Committee recommends that actual workload be kept under review and be reflected in the performance report**. The Committee comments further in this regard in paragraph 16 below.

Proposed staffing

12. In paragraph 20 and table 3 of his statement, the Secretary-General indicates that additional resources would be required for the additional staffing of two P-3 press officers for the United Nations Information Service at Geneva (UNIS), to provide appropriate coverage of the treaty body sessions, and for the United Nations Office at Geneva in respect of videoconferencing of treaty body sessions. Upon enquiry, the Advisory Committee was informed that UNIS is currently staffed with

two editors (P-4) and two press officers (one P-3 and one P-2), and utilizes general temporary assistance funds to contract temporary press officers. The Committee was also informed that the current general temporary assistance allotment only provides for 24 work months for temporary press officers per year, most of which is used to supplement UNIS press officers for coverage of the Human Rights Council sessions, and UNIS is no longer able to provide coverage for most committees of the treaty body system. **The Advisory Committee requested but was not provided with information on workload statistics relating to UNIS to justify the request for two P-3 press officers. Taking this into account, as well as the existing capacity in UNIS and the general temporary assistance allotment available for press coverage, the Advisory Committee recommends the approval of only one P-3 press officer post.**

13. In paragraphs 21 and 22 and annex II to his statement, the Secretary-General indicates that the staffing proposal includes one P-3 post and one P-2 post for the Subcommittee on the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to assist in the preparation and conduct of field visits. In order to implement the capacity-building aspects of the draft resolution, it is stated that the following staffing resources would be required: (a) 10 P-3 posts as human rights officers assigned as required to 10 of the 12 current OHCHR regional presences; (b) one P-4 post as coordinator of capacity-building activities, one P-3 post and one General Service (Other level) post for training; (c) one P-3 post for the development and maintenance of a roster of trainers and the establishment of a community of learning; (d) one P-3 post and an institutional consultant to provide direct assistance to States parties upon request, and travel costs for six national workshops per year; and (e) one P-3 post for the compilation and dissemination of good practices and development of tools and training materials.

14. Upon enquiry as to the four P-3 posts referred to in paragraph 13 above, the Advisory Committee was informed that one P-3 officer would be responsible for strengthening the capacity of regional actors on treaty body reporting, including through training-of-trainers workshops. A second P-3 officer would be responsible for developing the roster of experts to create a pool of trainers who could be deployed on technical assistance missions. A third P-3 officer would be responsible for in-country assistance for States soliciting support for the development of an institutional national reporting and coordination mechanism, as well as States with acute capacity concerns and reporting shortfalls. A fourth P-3 officer would be responsible for the continuous development of tools, manuals and training materials, based on factual evidence, solid research and good practices. The Committee was also informed that an existing P-5 chief of section provides overall supervision. **Considering the existing capacity in the section and the overall request for capacity-building, which includes a P-4 post, four P-3 posts, one General Service (Other level) post and one consultant, the Advisory Committee recommends against one of the proposed P-3 posts, as the functions could be absorbed within the other proposed posts.**

Videoconferencing equipment

15. In paragraph 23 and table 4 of his statement, the Secretary-General indicates that the facilitation of the participation of States parties in the work of the treaty bodies through the provision of videoconferencing facilities would require resources for the provision of necessary equipment in the Palais des Nations meeting rooms,

staffing resources (one General Service (Other level) post) for a technician and related telecommunications costs. Upon enquiry, the Advisory Committee was informed that the requested $120,000 for videoconferencing equipment would provide for equipment installation in four conference rooms at a cost of $30,000 each, as up to four treaty bodies meet simultaneously throughout the year. The Committee was also informed that the allocation of meeting rooms is based on availability and that the proposal takes into account the existing capacity at the Palais des Nations (and Palais Wilson) to provide a greater assurance of availability. **The Advisory Committee notes that the conference rooms at the United Nations Office at Geneva are allocated upon request and thus the requested videoconferencing equipment for four meeting rooms would not be dedicated for the sole use of the treaty bodies but could be used by other entities. Nonetheless, the Committee notes the likely increase in the use of videoconferencing facilities by the treaty body system as a result of the draft resolution, and therefore recommends approval of resources for videoconferencing equipment for two rather than four conference rooms. As a result of this recommendation, the need for technical support would correspondingly decrease, and the Committee therefore further recommends against the proposed post of videoconference technician (General Service (Other level)).**

Projected savings

16. In paragraph 24 of his statement, the Secretary-General states that the introduction of word limits and limitations to the working languages would result in extensive savings, which would serve to offset almost all of the additional costs associated with the implementation of the draft resolution in the present biennium; in the longer term, the requirements to support the system would be reviewed as part of the biennial review of the system, including the practical implications of the measures allowing for exceptions to the word and language limitations on the services provided to the treaty bodies. Upon enquiry as to the feasibility of the projected savings, the Advisory Committee was informed that the projected cost savings assumed the full realization of all possible economies. It was stated that the projected reduction in workload and resources would not affect staff and that the workload reductions would be managed by lowering the demand for freelance and contractual services. **While the Advisory Committee commends the efforts made to identify savings, it notes that these are based on untested assumptions (see paragraph 11 above), and in this regard recommends that the General Assembly request the Secretary-General to reflect any variations in resource requirements and workload statistics in the performance reports.**

17. **The Advisory Committee recalls General Assembly resolution 65/311 on multilingualism, in which the Assembly emphasized the paramount importance of the equality of the six official languages of the United Nations, and notes that the draft resolution specifies that the measures relating to translation would not constitute a precedent. The Committee also recalls in this regard that, in paragraph 20 of its report on the second performance report on the programme budget for the biennium 2012-2013 (A/68/656), concerning the discontinuation of translations of written replies to the lists of issues arising from the human rights treaty bodies, the Advisory Committee recommended that, in the absence of a specific instruction from the relevant intergovernmental bodies in this**

connection, the Assembly instruct the Secretary-General to reinstate the practice of translating written replies to the lists of issues arising from the human rights treaty bodies, with immediate effect.

Other issues

18. **With respect to the modalities set out in paragraph 5 above, the Advisory Committee considers that the allocation of meeting time is a matter to be decided by the General Assembly. With respect to the submission and consideration of related resource requests, the Committee expects that the established budgetary process will be respected. In particular, the draft resolution should not be read or interpreted in any way as restricting the decision-making authority of the General Assembly in administrative and budgetary matters or restricting the prerogative of the Secretary-General to propose resource requests as he deems necessary. The Committee notes in this regard that, in operative paragraph 27 of the draft resolution, the Assembly would decide that the amount of meeting time allocated would be amended in line with established budgetary procedures.**

Conclusion

19. **In line with its comments and recommendations in paragraphs 12, 14 and 15 above, the Advisory Committee recommends that the Fifth Committee inform the General Assembly that, should it adopt draft resolution A/68/L.37:**

(a) **A revised appropriation of ($324,200) would arise under the programme budget for the biennium 2014-2015, comprising an increase of $9,691,500 under section 24, Human rights; an increase of $163,700 under section 28, Public information; and an increase of $126,000 under section 29F, Administration, Geneva, partially offset by a net decrease under section 2, General Assembly and Economic and Social Council affairs and conference management ($10,305,400); as well as an additional amount of $684,400 under section 36, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment;**

(b) **The amount of ($324,200) would represent a credit to the contingency fund for the biennium 2014-2015;**

(c) **Estimated additional requirements of $370,800, relating to $19,243,600 under section 24, Human rights; $330,800 under section 28, Public information; and $132,000 under section 29F, Administration, Geneva, partially offset by a decrease of $19,335,600 under section 2, General Assembly and Economic and Social Council affairs and conference management, would be addressed in the context of the proposed programme budget for the biennium 2016-2017.**

20. **The Advisory Committee intends to review the related resource requirements in the context of the proposed programme budget for 2016-2017.**